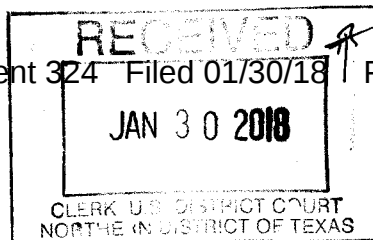


CTJ



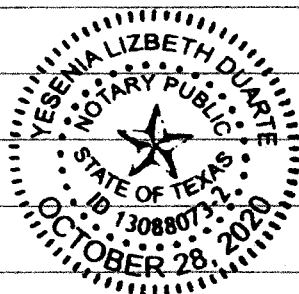
4:17CR1970

MR. Herrington,

Dec 28th 2017

To submit a pleading to the Court
 5th Circuit Case law Must be submitted to
 qualify as a pleading per ABA standards.
 I need the 5th Circuit Case law that
 was submitted with my Objection Report.
 I also want to point out that in 1
 of the report its said that I was
 merely present in 2005 and that is
 false it should be 2015. There are other
 issues I would like to speak to you
 about. So if you could please find the
 time I would like to see you in person

* I would also like a copy of my Discovery
 and please resend me a copy of All my
 legal paper work... Thank You



Respectfully,
 Winto Bayato

Notary: Yesenia f Duarte
 12/29/2017

C.C. Judge Reed C. O'Connor

The Honorable Reed C. O'Connor
United States District Judge
501 West 10th Street
Fort Worth, Texas 76102-6882

RE:

Winter Le Bouette
Case # 0539 4:17cr00197-O(01)

Judge O'Connor,

I am requesting to reschedule my sentencing date. I'm requesting an additional 30 days. I have multiple questions and concerns regarding my Presentence Report. Due to the Holiday Season, I have not been able to reach my Attorney. Additionally I have concerns regarding the objections that my attorney made to my PSR. While the objection is sufficiently specific, it does not cite any Fifth Circuit case law to support the objections. Nor does it address the relevant conduct findings as I requested. Judge O'Connor, I'm not an innocent person, but I do want to be treated in a fair manner. My PSR has multiple errors and unsupported documentation. Please see the following concerns as an example

BR CR.Dkt.217-1

Pg1 Errors

Pg1 Concern #1 - CR.Dkt.217-1

"The government will move the Court to dismiss Count 1 of the Indictment as the defendant only at the conclusion of sentencing."

I only have 1 count, I don't understand this statement.

Concern #2 - CR.Dkt.217-1

Pg4

#4 9-20-2017

Indictment charged with Conspiracy to Possess with Intent to Distribute a Controlled Substance, 21 U.S.C. § 846, 841(a)(1) & (b)(1)(A) - This was dismissed

#6 10-10-2017

Named in a single-count superseding information charging possession with intent to distribute a controlled substance 21 U.S.C. § 841(a)(1) & (b)(1)(B)

Pg.5

10-18-2017

Plead Guilty to Possession with Intent 21 U.S.C. § 841(a)(1) & (b)(1)(B)

Pg. 5

#12 "Over View of the Conspiracy"

I'm not involved in a "Conspiracy". I plead guilty to Possession with Intent to Distribute a Controlled Substance. 21 U.S.C. § 841(a)(1) & (b)(1)(B)

This information is Not correct and is not based on the Charge I was indicted and convicted of.

#13 This information is not correct. I was Not involved in a "Conspiracy"

#14 This information is not correct. The chart is "Detail actions within a Conspiracy" that I was Not a part of and not charged with. Furthermore, the chart identifies dates beyond the scope of the indictment. Dates on indictment January 1, 2014 - 3/2015. Timeframe on chart starts with 2011, which is outside the scope of the charge of the indicted and the offense of conviction, and continues beyond 3/2015 listing dates "unknown".

#15 This is based on "Conspiracy" charges

#16 based on "Coconspirator" interviews. I am Not apart of a Conspiracy. This information is Not correct.

#17 I do not have coconspirators, I am Not in a "conspiracy"; This information is Not correct.

Pg 9

#24 level Not correct. No evidence to support 2.55 kilograms of methamphetamine, and information is based on evidence collected in reference to a conspiracy that I was Not involved in and Not charged or indicted for.

#25 Firearm is Not identified with serial number and was Not seized by the government. I did Not stipulate to any facts involving a gun, and I do Not have a record of carrying firearms. The so called witnesses are members of a conspiracy that I am Not a member of.

#29 Offense level is Not correct due to using conspiracy laws as opposed to the laws consistent with the offense of conviction.

#33 Total offense level is Not correct due to using conspiracy laws as opposed to the laws consistent with the offense of conviction.

The purpose of requiring defendants to make timely objections to the PSR and actual Sentence is founded upon considerations of fairness to the Court and to the parties and of the public interest in bringing litigation to an end after fair opportunity has been afforded to present all issues of law and fact. (*United States v. McCloud* 818 F.3d 591 (5th Cir 2016)). I have not seen my discovery and I need additional time to review my discovery and research Fifth Circuit Case Law regarding relevant conduct and gun enhancements. My PSR should be updated to read correctly and consistent with my offense of conviction.

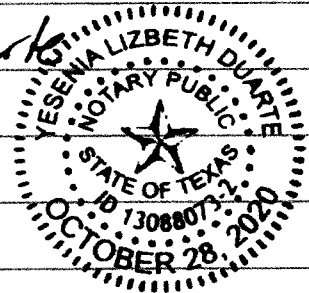
Additionally, I signed a Plea Agreement (CR Dkt. 217-1 pg 5[#]). The Plea Agreement was signed for a sentence of 5 to 40 years, a sentence consistent with 21 U.S.C. § 846 (Drug Conspiracy) an offense that I was not indicted for (CR Dkt. 217-1 pg. I plead guilty to 21 U.S.C. § 841 (Intent to Distribute) which carries a maximum sentence of 20 years (21 U.S.C. § 841). I am concerned that my plea Agreement is not correct and I am concerned about issues related to transgenders in the FBOF as stated in *Rhonda Fleming v. United States* Case number 7:17-cv-00009-O, Honorable Reed O'Connor Court. Is my Plea Agreement valid?

Judge D'Connor thank you for your
time and Consideration.

Sincerely,

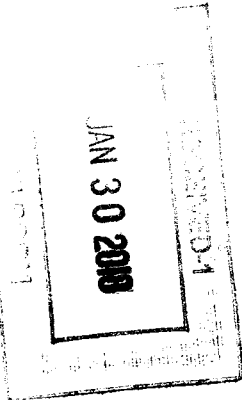
Winter Boyette

Notary: Yesenia L. Duarte
[Signature]
12/29/2017



C.C. Judge Reed C. D'Connor

Winter Le Borett
Mansfield City Jail
1101 Heritage Pkwy
Mansfield, TX 76063



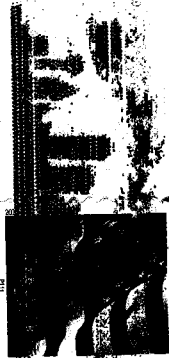
Attention

Kyle Wolf

US PO

PRIVATE CORRESPONDENCE

NORTH TEXAS TX PRIC
DALLAS TX 7520
02 JAN 2018 PM 12



14th Floor
Commerce
Dallas, TX 75242

CASE 14

FU